

Message Text

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PAGE 01 STATE 178223
ORIGIN EUR-12

INFO OCT-01 ISO-00 EPA-01 OES-09 LAB-04 HEW-04 AID-05
CEA-01 CIAE-00 COME-00 EB-08 EA-10 FRB-03 INR-10
IO-13 NEA-10 NSAE-00 ICA-11 OPIC-03 SP-02 TRSE-00
SIL-01 AGRE-00 OMB-01 SS-15 CEQ-01 SOE-02 DODE-00
L-03 NSF-01 NSC-05 PM-05 DOE-15 INT-05 STR-07
NRC-05 ACDA-12 HUD-01 /186 R

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EPA:APOPKIN
OES/ENP/EN:JBLANCHARD
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FM SECSTATE WASHDC
TO AMEMBASSY PARIS PRIORITY

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PARIS FOR USOECD

E.O. 11652:N/A

TAGS:SENV, OECD

SUBJECT: PROPOSED PART II PROGRAM FOR INCREASING
INTERNATIONAL COOPERATION IN CONTROL OF CHEMICALS

REF: A) PARIS 22221; B) PARIS 21580; C) KURSCH/PACKER
TELECON JULY 13

1. DEPARTMENT APPRECIATES MISSION'S EFFORTS TO INFORM
SECRETARIAT OF OUR ACUTE DISAPPOINTMENT WITH PLANNED
DELAY IN INITIATION OF PART II CHEMICAL PROGRAM. WE ARE
PLEASED TO SEE THAT OTHER KEY DELEGATIONS SHARE OUR CONCERN
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AND THAT THE PART II PROGRAM IS ON THE JULY 20TH AGENDA.

2. DEPARTMENT AND EPA REMAIN CONCERNED WITH IMPLICATIONS
OF OECD ENVIRONMENT DIRECTOR RODERICK'S DECISION TO POST-
PONE FINAL COUNCIL CONSIDERATION OF PART II CHEMICALS
PROJECT. RODERICK'S DECISION IS IN DIRECT CONTRADICTION
TO UNDERSTANDING REACHED BY PARTICIPANTS AT JUNE 21-23

PREPARATORY MEETING WHERE IT WAS RESOLVED TO PROCEED IMMEDIATELY WITH ESTABLISHMENT OF PART II WORK PROGRAM WHICH WOULD INCLUDE PROJECTS ON GOOD LABORATORY PRACTICES AND CONFIDENTIALITY OF DATA. CONTINUED DELAYS IN ESTABLISHMENT OF THESE PROGRAMS COULD DEAL MAJOR SETBACK TO EFFORT TO DEVELOP COORDINATED APPROACH TO RULEMAKING GOVERNING TOXIC SUBSTANCES BY WORLD'S INDUSTRIALIZED

NATIONS.

3. EPA IS CURRENTLY WORKING UNDER TIGHT, LEGISLATIVELY IMPOSED TIME TABLE IN IMPLEMENTING TOXIC SUBSTANCES CONTROL ACT (TSCA). WORK IN U.S. ON GOOD LABORATORY PRACTICES IS PROCEEDING RAPIDLY AND EPA WILL PUBLISH PROPOSED QUALITY ASSURANCE PROCEDURES IN FALL 1978. LIKEWISE, EPA WILL PUBLISH PROPOSED GUIDELINES FOR PREMANUFACTURE NOTIFICATION AT ABOUT THIS TIME (CONFIDENTIALITY OF DATA PROJECT IS RELATED TO ISSUE OF PREMANUFACTURING NOTIFICATION). U.S. FLEXIBILITY IN INTERNATIONAL NEGOTIATIONS WILL RAPIDLY DIMINISH AS TIME FOR ISSUANCE OF FINAL REGULATIONS IN EARLY 1979 APPROACHES. TO ENABLE PART II CHEMICALS PROGRAM TO FUNCTION AS EFFECTIVE CONSULTATIVE MECHANISM PRIOR TO ISSUANCE OF THESE REGULATIONS, APPROVAL OF PROGRAM AT EARLIEST POSSIBLE DATE IS ESSENTIAL.

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4. ON QUESTION OF PROGRAM FUNDING, WE INDEED WOULD HAVE PREFERRED THAT SUM LARGER THAN AVAILABLE 1.4 MILLION FRANCS WERE ON HAND FOR 1978 PHASE OF PART II PROGRAM. HOWEVER, WE ARE CONVINCED THAT THIS AMOUNT WILL BE SUFFICIENT, IF NECESSARY, FOR 1978 START-UP PHASE OF PROGRAM, PARTICULARLY IN VIEW OF AGREEMENT REACHED AT JUNE PREPARATORY SESSION TO USE LEAD COUNTRY APPROACH. IN THIS REGARD, U.S. REAFFIRMS ITS WILLINGNESS TO BE LEAD COUNTRY FOR GOOD LABORATORY PRACTICES.

5. ENVIRONMENT DIRECTOR RODERICK'S REASONS FOR PUTTING OFF FINAL VOTE ON ESTABLISHMENT OF PART II PROGRAM CITED REFTEL B WERE ALL KNOWN TO DELEGATES ATTENDING JUNE PREPARATORY MEETING. NEVERTHELESS THESE PARTICIPANTS, SHARING THE BELIEF THAT IT IS NECESSARY TO BEGIN WORK AT EARLIEST POSSIBLE DATE, SPECIFICALLY VOTED TO PROCEED IMMEDIATELY, DESPITE SMALLER THAN ANTICIPATED BUDGET, WITH PART II EFFORT EMBRACING TWO PROJECTS INSTEAD OF THE FOUR ORIGINALLY ENVISIONED RATHER THAN WAIT WHILE ADDITIONAL FUNDS WERE SOUGHT. AT THAT TIME A RESOLUTION WAS PASSED TO THE EFFECT THAT SECRETARY GENERAL SHOULD COMMENCE NEGOTIATING TO RAISE CONTRIBUTION

FOR PART II.

6. FOLLOWING RECEIPT OF RODERICK'S LETTER WE HAVE POLLED ENVIRONMENTAL MINISTRIES OF A NUMBER OF INTERESTED COUNTRIES IN AN EFFORT TO DETERMINE EXTENT OF POTENTIAL SUPPORT FOR EARLY APPROVAL OF PART II CHEMICALS WORK. U.K. AND SWITZERLAND HAVE ALREADY INSTRUCTED THEIR OECD DELEGATIONS TO SUPPORT US WHILE CANADA AND AUSTRALIA HAVE CLEARLY INDICATED THEIR CONCERN TO US ABOUT THE CONTINUED DELAYS IN INITIATING THE PART II PROGRAM.

7. ACTION REQUESTED: WHILE WE STILL WOULD LIKE TO SEE PART II PROJECT APPROVED AT JULY 20TH COUNCIL SESSION, WE CAN APPRECIATE LOGISTICAL AND OTHER OBSTACLES LIMITED OFFICIAL USE

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NOTED REFTEL A. WISH TO AVOID SITUATION WHERE CERTAIN DELEGATIONS WOULD VOTE AGAINST ESTABLISHMENT OF PART II PROGRAM AT JULY 20 COUNCIL SESSION. IF IT PROVES TO BE LOGISTICALLY IMPOSSIBLE TO BRING ESTABLISHMENT OF PART II PROGRAM TO SUCCESSFUL VOTE AT JULY 20 COUNCIL SESSION OR IF, IN MISSION'S JUDGMENT, BRINGING MATTER TO A VOTE WOULD SERIOUSLY RISK DISAPPROVAL, DEPARTMENT WOULD LIKE TO SEE MEETING AT LEAST TAKE POSITION TO (1) APPROVE IN PRINCIPLE, THE ESTABLISHMENT OF THE PROGRAM, (2) A COMMITMENT TO SEEK FINAL APPROVAL AT FIRST COUNCIL MEETING FOLLOWING SUMMER RECESS AND THAT (3) TO BEGIN WORK ON OCTOBER 1, 1978

8. MISSION IS REQUESTED TO CONSULT WITH ALL DELEGATIONS WHICH WERE PRESENT AT JUNE PART II MEETING FOR PURPOSE OF EXPRESSING U.S. CONCERNS ON DELAYS ENCOUNTERED AND OUR DESIRE FOR EARLY APPROVAL. PARTICIPANTS WERE AUSTRALIA, AUSTRIA, BELGIUM, CANADA, DENMARK, FRG, FINLAND, FRANCE, JAPAN, NETHERLANDS, NORWAY, SPAIN, SWEDEN, SWITZERLAND, U.K. AND EC COMMISSION.

9. DELEGATION IS REQUESTED TO MAKE FOLLOWING POINTS AT JULY 20 COUNCIL SESSION:

-- WE BELIEVE THAT THE INTERNATIONAL EFFORT TO COORDINATE AND HARMONIZE REGULATIONS, LAWS AND PROCEDURES PERTAINING TO TOXIC SUBSTANCES IS EXCEPTIONALLY IMPORTANT, MERITING THE HIGHEST PRIORITY. IT IS MOST IMPORTANT THAT SUCH REGULATIONS, WHEN PROMULGATED, DO NOT BECOME NEW BARRIERS TO INTERNATIONAL TRADE IN CHEMICALS, THE VALUE OF WHICH FOR THE U.S. ALONE EXCEEDED 10.3 BILLION IN 1976. LIMITED OFFICIAL USE

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(FIRST HALF OF 1977 FIGURES SHOW TOTAL TRADE OF 5.8
BILLION. FULL YEAR 1977 FIGURES NOT YET AVAILABLE)

-- THE PROPOSED OECD PART II PROGRAM FOR TOXIC
SUBSTANCES IS A SIGNIFICANT COMPONENT OF THIS EFFORT
AND IT IS OF GREAT IMPORTANCE TO THE U.S. THAT
THE FORWARD MOMENTUM OF PART II CONTINUE.

--U.S. LAW IS REQUIRING OUR REGULATORY AGENCIES
TO TAKE IMMEDIATE STEPS TO DRAW UP REGULATIONS AND
PROCEDURES PERTAINING TO TOXIC SUBSTANCES. ANY FURTHER
DELAYS IN BEGINNING THE PROPOSED OECD PART II WORK
PROGRAM LESSEN THE CHANCES OF ITS ATTAINING ITS
ULTIMATE OBJECTIVE.

-- THE U.S. IS VERY DISAPPOINTED WITH THE DELAYS
ENCOUNTERED THUS FAR. WE REMAIN COMMITTED TO THE
CONCEPT OF THE PART II PROGRAM.

-- WE BELIEVE THAT SUFFICIENT FUNDS ARE AVAILABLE
TO BEGIN THE 1978 START-UP PHASE. NEVERTHELESS, WE
HOPE THAT ALL INTERESTED COUNTRIES WILL BE ABLE TO
RESOLVE THEIR RESPECTIVE BUDGETARY DIFFICULTIES AT
AN EARLY DATE AND INCREASE THEIR LEVEL OF CONTRIBUTIONS
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ABOUT THIS RESULT. CHRISTOPHER

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INFO OCT-01 ISO-00 /013 R

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DRAFTED BY:EUR/RPE:WHDAMERON

APPROVED BY:W H DAMERON

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FM SECSTATE WASHDC

INFO ALL OECD CAPITALS

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BRUSSELS ALSO FOR USEEC

FOLLOWING REPEAT STATE 178223 ACTION PARIS JUL 14.

QUOTE: LIMITED OFFICIAL USE STATE 178223

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UNQUOTE CHRISTOPHER

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